



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

2890 WOODBRIDGE AVENUE
EDISON, NEW JERSEY 08837

OCT 19 2005

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Mr. Hank Martin
Principal
Environmental Liability Management, Inc.
218 Wall Street, Research Park
Princeton, New Jersey 08540-1512

Re: BASF Corporation, 50 Central Avenue, Kearney, NJ
Notification of Self-Implementing PCB Cleanup

Dear Mr. Martin:

This letter is in response to your letter dated October 4, 2005 regarding the above referenced property. Your letter provided notice of plans for self-implementing cleanup and disposal of PCB remediation waste for the BASF Corporation site at 50 Central Avenue, Kearney, New Jersey. Site remediation has been overseen by the New Jersey Department of Environmental Protection (NJDEP) pursuant to the Industrial Site Recovery Act since 1990 when BASF ceased operations at the site. The notification for self-implementing PCB remediation addresses two areas totaling 2,000 ft² of the 27-acre property. In these two areas your report that PCBs are present in the soil at concentrations ranging from slightly above 50 parts per million (ppm) to 100 ppm, with the highest concentrations found in the 2' to 4' soil interval.

The remediation plan includes excavation of all soil located above the water table (approximately 4 feet in depth) in these two areas, and off-site disposal in an approved PCB disposal facility. Remaining PCB concentrations will range from 50 ppm to 60 ppm. After the soil is removed, the excavation will be filled with a compacted soil cap and a Deed Notice will be established for the entire site.

The property is scheduled for redevelopment as a warehouse and distribution center. The areas which are the subject of your notification are outside the development planned for the site, and there will be no occupancy of these two areas following remediation.

With this planned future use of the site it would meet the definition of *low occupancy area* as per 40 C.F.R. § 761.3. The self-implementing cleanup level specified at 40 C.F.R. § 761.61(a)(4)

for bulk PCB remediation waste allowed to remain on site at low occupancy areas when capped is >25 ppm and ≤ 100 ppm.

The characterization data you have provided does not give a PCB result below the 2-4 foot level for all grid locations. Therefore, we are unable to tell with any level of certainty that the excavation planned will indeed remove all PCB contamination > 100 ppm. For example on Figure 3, grid sample location 17 gives a PCB result of 93 ppm in the 2-4 foot range and no further data is provided going deeper. We can not assume that the PCB results would decrease with depth, as there are several grid points where the PCB concentration is shown to increase with depth. In fact grid sample location 17 increases from 42.1 ppm in the 0-2 foot range to 93 ppm in the 2-4 foot range.

In the absence of deeper characterization data or a commitment to perform cleanup verification sampling as per 40 C.F.R. § 761.61(a)(6), we can not approve the current cleanup plan. Please provide a revised notification, either including more characterization data below the 2 -4 foot range at all grid points, or committing to perform cleanup verification sampling with additional excavation if necessary.

If you have any questions please call Vivian Chin, of my staff, at (732) 906-6179.

Sincerely,

Kenneth S. Stoller, P.E., QEP, DEE, Chief
Pesticides and Toxic Substances Branch

cc: Mr. Doug Reid-Green
BASF Corporation